

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
CARLOS JOSE CRUZ PENA,

Plaintiff,

-against-

GERARDO ENRIQUE AGUERO AND  
MIA TRUCKING, LLC,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/19/2025

24 Civ. 9039 (AT)

**ORDER OF DISMISSAL**

The Court has been advised that all claims asserted herein have been settled in principle. ECF No. 14. Accordingly, the above-entitled action is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within thirty days of the date of this Order if the settlement is not consummated.

Any application to reopen must be filed within thirty days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same thirty-day period to be so-ordered by the Court. Per Rule IV(C) of the Court's Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

By **February 24, 2025**, Defendants shall serve Plaintiff with a copy of this order and file proof of such service on the docket.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: February 19, 2025  
New York, New York



ANALISA TORRES  
United States District Judge